

1
2
3 UNITED STATES DISTRICT COURT
4 WESTERN DISTRICT OF WASHINGTON
5 AT TACOMA

6 KITTY N. HARDING,

7 Plaintiff,

8 v.

9 MICHAEL J. ASTRUE, Commissioner of
10 Social Security,

11 Defendant.

Case No. 11-5024 BHS-KLS

REPORT AND RECOMMENDATION

12 This matter has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C.
13 § 636(b)(1)(B) and Local Rule MJR 4(a)(4) and as authorized by Mathews, Secretary of H.E.W.
14 v. Weber, 423 U.S. 261 (1976). This matter is before the Court on the stipulated motion for
15 remand. (ECF #19). After reviewing the parties' stipulated motion and the remaining record, the
16 undersigned recommends that the Court grant the parties' motion, and remand this matter to the
17 Commissioner for further proceedings.

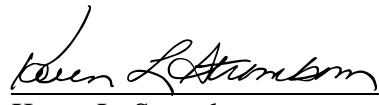
18 This Court recommends that on remand the ALJ shall re-assess the medical evidence of
19 record, including but not limited to the opinions of Daniel M. Neims, Psy.D.; James Parker,
20 M.D.; and Jan L. Lewis, Ph.D. The ALJ shall also re-assess Plaintiff's credibility and residual
21 functional capacity. If necessary, the ALJ shall obtain additional vocational expert testimony.

22 On remand, this case shall be consolidated with Plaintiff's subsequent Title XVI claim.
23 The ALJ shall associate the claims files and issue a new decision on the consolidated claims.
24
25
26

1 Plaintiff is entitled to reasonable attorney fees and costs pursuant to 28 U.S.C. § 2412,
2 upon proper request to this Court.

3 Given the fact of the parties' stipulation, the Court recommends that the District Judge
4 immediately approve this Report and Recommendation and order the case **REVERSED** and
5 **REMANDED**. A proposed order accompanies this Report and Recommendation.

6 DATED this 16th day of August, 2011.
7

8
9 
10 Karen L. Strombom
11 United States Magistrate Judge
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26